

Dear Senator McKinnon:

Please be advised that pursuant to action by the Senate, the appointment of Mrs. LaVerne A. Dobbs, of Houston, Harris County, to the Texas Civil Judicial Council was postponed for further consideration and is hereby returned to the Subcommittee on Nominations.

Sincerely yours,
Charles A. Schnabel
Secretary of the Senate

EIGHTEENTH DAY
(Monday, February 12, 1973)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Traeger, Wallace and Wolff.

The following Senator was absent-excused: Snelson.

A quorum was announced present.

The Reverend Boyd Harris of Grace United Methodist Church, Austin, Texas, offered the invocation as follows:

O God, we recognize you to be the creator of all men and all things. Enable us to be faithful men in the midst of pressures and conflicts. Take our troubled spirits and help us to find peace in loving and serving you.

Grant wisdom and guidance to these Senators as they struggle to shape law and justice for all people in our great State. Teach them compassion tempered with justice and mercy. Lead them throughout every deliberation of today. In Jesus' name. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 8, 1973, was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Snelson was granted leave of absence for today on account of important business on motion of Senator Sherman.

REPORTS OF STANDING COMMITTEE

Senator Creighton submitted the following reports for the Committee on Economic Development:

Nomination of Ray Kirkpatrick, to be Chairman, State Board of Insurance.

Nominations of Floyd L. Dellinger, Sherman S. Fricks, George R. Brown, H. H. (Country) Reynolds, Joseph L. Allbritton, Captain William F. Fredeman, P. Burgess Griesenbeck and Pete S. Miller to be Members of the Texas Offshore Terminal Commission.

S.B. 133
S.B. 88
S.B. 87 (Amended)
S.B. 86 (Amended)
C.S.S.B. 85 (Read first time)
S.B. 57

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Longoria:

S.B. 205, A bill to be entitled An Act defining the term "Issuer" to mean and include the State of Texas, or any department, agency or instrumentality of the State or any county, municipal corporation, taxing district or other political body, board, district or subdivision of the State having power to borrow money and issue bonds, notes or other evidences of indebtedness, and which has the power to issue refunding bonds in lieu of outstanding obligations of the issuer; authorizing the governing body of any issuer to refund any interest bearing obligations and/or interest coupons appertaining thereto, issued by or on behalf of said issuer, by the issuance of refunding bonds; providing for the manner in which said refunding bonds may be issued and delivered, and for certain restrictions in connection therewith; providing for the approval of said refunding bonds by the Attorney General and their registration by the Comptroller of Public Accounts; providing for the sale of said refunding bonds for cash to provide the money required to pay, retire, or redeem, at or prior to maturity, the obligations being refunded; providing in connection with the sale of refunding bonds for the deposit of money or certain obligations of the United States of America with the State Treasurer of the State of Texas in an amount sufficient to provide for the payment, retirement, or redemption of the obligations being refunded, and requiring the State Treasurer to use said deposits and the proceeds therefrom for such payment, retirement, or redemption; providing that all such deposits, and the proceeds therefrom, shall be kept and held separate and apart in escrow, and in trust, charged with a first lien in favor of the holders of the obligations to be paid therefrom, and protecting said deposits, and the proceeds therefrom, by the State Treasurer's official bonds; providing in the alternative for making appropriate arrangements with the place of payment for such deposits and the payment, retirement, or redemption of the obligations being refunded; providing that, at the option of the Issuer, such obligations being refunded shall be discharged, and shall not be regarded as being outstanding, when the required deposits have been made hereunder, or, that the refunding bonds may be made subordinate to the obligations being refunded; providing that this Act shall be cumulative of all other laws on the subject, but shall prevail and control in the case of conflict with any other law; prescribing a severability provision; and declaring an emergency.

To Committee on State Affairs.

By Senators Brooks and Clower:

S.B. 206, A bill to be entitled An Act relating to a newsman's privilege against disclosure of information obtained in confidence or its source; and declaring an emergency.

To Committee on Human Resources.

By Senator Ogg:

S.B. 207, A bill to be entitled An Act amending Chapter 45 of the Code of Criminal Procedure, 1965, as amended to provide for the selection and qualification of municipal judges and to amend the rules of practice and procedure in municipal and justice courts; amending Chapter 45, Code of Criminal Procedure, 1965, as amended, to provide a new title thereof; amending Article

45.01, Code of Criminal Procedure, 1965, as amended; amending Chapter 45, Code of Criminal Procedure, 1965, as amended, by adding a new Article 45.011; amending Chapter 45, Code of Criminal Procedure, 1965, as amended, by adding a new Article 45.012; amending Article 45.02, Code of Criminal Procedure, 1965, amending Chapter 45, Code of Criminal Procedure, 1965, as amended, by adding a new Article 45.021; amending Article 45.03, Code of Criminal Procedure, 1965; amending Chapter 45, Code of Criminal Procedure, 1965, as amended, by adding a new Article 45.032; amending Article 45.04, Code of Criminal Procedure, 1965, as amended; amending Article 45.05, Code of Criminal Procedure, 1965; amending Article 45.06, Code of Criminal Procedure, 1965; amending Chapter 45, Code of Criminal Procedure, 1965, as amended, by adding a new Article 45.061; amending Article 45.07, Code of Criminal Procedure, 1965; amending Article 45.08, Code of Criminal Procedure, 1965; amending Article 45.09, Code of Criminal Procedure, 1965; amending Article 45.10, Code of Criminal Procedure, 1965; amending Article 45.11, Code of Criminal Procedure, 1965; amending Article 45.12, Code of Criminal Procedure, 1965, as amended; amending Article 45.13, Code of Criminal Procedure, 1965; amending Article 45.23, Code of Criminal Procedure, 1965; amending Article 45.24, Code of Criminal Procedure, 1965; amending Article 45.25, Code of Criminal Procedure, 1965; amending Article 45.27, Code of Criminal Procedure, 1965; amending Article 45.28, Code of Criminal Procedure, 1965; amending Chapter 45, Code of Criminal Procedure, 1965, as amended, by adding a new Article 45.311; amending Article 45.32, Code of Criminal Procedure, 1965; amending Article 45.34, Code of Criminal Procedure, 1965; amending Article 45.36, Code of Criminal Procedure, 1965; amending Article 45.37, Code of Criminal Procedure, 1965; amending Article 45.39, Code of Criminal Procedure, 1965; amending Chapter 45, Code of Criminal Procedure, 1965, as amended, by adding a new Article 45.391; amending Article 45.40, Code of Criminal Procedure, 1965; amending Article 45.41, Code of Criminal Procedure, 1965; amending Article 45.44, Code of Criminal Procedure, 1965; amending Article 45.51, Code of Criminal Procedure, 1965, as amended; amending Article 45.53, Code of Criminal Procedure, 1965; amending Chapter 45, Code of Criminal Procedure, 1965, as amended, by adding a new Article 45.54; amending Chapter 45, Code of Criminal Procedure, 1965, as amended, by adding a new Article 45.55; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Ogg:

S.B. 208, A bill to be entitled An Act relating to the maximum permissible size for wine containers sold to retailers; amending Section 6, Article I, Texas Liquor Control Act, as amended (Article 666-6, Vernon's Texas Penal Code); and declaring an emergency.

To Committee on State Affairs.

By Senator Ogg:

S.B. 209, A bill to be entitled An Act amending Chapter 274, Acts of the 60th Legislature, Regular Session, 1967, by adding thereto a new article to be identified and codified as Article 5069-1.042, providing a general rule for determination of the rate of interest on real estate loans secured by a lien and authorizing refund of excess charges in the event of premature termination of loans; and declaring an emergency.

To Committee on Economic Development.

By Senators Brooks, Traeger, McKinnon, Wolff and Ogg:

S.B. 210, A bill to be entitled An Act authorizing and providing for supplemental aid programs for adult education where provided by public educational agencies toward the education and training of certain persons not having a high school education or the educational prerequisites for developing a salable skill; providing for the financing thereof in part from state funds; providing that the Central Education Agency shall develop programs, rules, and regulations for the implementation of this Act; amending Subchapter A, Chapter

11, Texas Education Code, by adding Section 11.18; amending Section 21.902, Texas Education Code; and declaring an emergency.
To Committee on Education.

By Senator Ogg:

S.B. 211, A bill to be entitled An Act establishing procedures for appeals from justice and municipal courts that will be based on a review of the record on appeal and not on a trial de novo in the appellate court; amending Chapter 44, Code of Criminal Procedure, 1965, by adding a new Article 44.45; amending Article 45.10, Code of Criminal Procedure, 1965; repealing Article 44.17, Code of Criminal Procedure, 1965; repealing Article 44.18, Code of Criminal Procedure, 1965; repealing Article 44.19, Code of Criminal Procedure, 1965; repealing Article 44.13, Code of Criminal Procedure, 1965; repealing Article 44.14, Code of Criminal Procedure, 1965; repealing Article 44.16, Code of Criminal Procedure, 1965; repealing Article 44.20, Code of Criminal Procedure, 1965; repealing Article 45.48, Code of Criminal Procedure, 1965; amending Article 44.04, Code of Criminal Procedure, 1965; amending Article 4.03, Code of Criminal Procedure, 1965; repealing Sections 18 through 40, inclusive, Chapter 762, Acts of the 61st Legislature, Regular Session, 1969; and declaring an emergency.

To Committee on Jurisprudence.

By Senators Blanchard and Wallace:

S.B. 212, A bill to be entitled An Act relating to regulation of the manufacture, distribution, possession, and use of certain drugs and controlled substances; prescribing penalties; repealing the Uniform Narcotic Drug Act, as amended (Article 725b, Vernon's Texas Penal Code); Chapter 237, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 725c, Vernon's Texas Penal Code); Chapter 300, Acts of the 54th Legislature, 1955, as amended (Article 725d, Vernon's Texas Penal Code); and Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 726d, Vernon's Texas Penal Code); and declaring an emergency.

To Committee on Jurisprudence.

By Senator Schwartz:

S.B. 213, A bill to be entitled An Act relating to all competent jurors who are liable to jury service; amending Acts 1971, 62nd Legislature, p. 2801, Ch. 905 Section 12 (Article 2135, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Jurisprudence.

By Senator Schwartz:

S.B. 214, A bill to be entitled An Act to amend Chapter 581, S.B. No. 385, page 1992, Acts of the 61st Legislature, Regular Session, 1969 (codified by Vernon as Article 8280-459), by amending Sections 4, 10(c), 14, 15, 17 and 19; to change the terms of office of the District Directors' to provide that the District has the power to construct and maintain breakwaters; to change certain provisions relating to the District's bonds and refunding bonds; to make additional provisions relating to the District's maintenance tax; to provide for abolition of the District if after five years from the effective date of this Act said District has not been confirmed and said maintenance tax voted; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency.

To Committee on Economic Development.

By Senator Schwartz:

S.B. 215, A bill to be entitled An Act to amend Chapter 63, Acts of the 57th Legislature, 3rd Called Session, 1962, Codified as Article 2688h. Amending Section 1(c); providing for an assistant or assistants to the County Judge and salary and office and travel expenses to be paid from the County Available

School Fund to perform certain duties formerly performed by the County Superintendent; and declaring an emergency.

To Committee on Education.

By Senator Schwartz:

S.B. 216, A bill to be entitled An Act relating to the compensation paid from county funds to the District Judges of the 10th, 56th, and 122nd District Courts of Galveston County for services rendered to the county; amending Section 1, Chapter 36, Acts of the 57th Legislature, 3rd Called Session, 1962, as amended (Article 6819a-28, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Mauzy:

S.B. 217, A bill to be entitled An Act relating to the filling of vacancies of county offices; amending Articles 2341 and 2355, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Mauzy:

S.B. 218, A bill to be entitled An Act amending Section 130.005 of the Texas Education Code to permit the boards of trustees of each junior college district to change the name of such district by substituting the word "community" in lieu of the word "junior"; providing that such resolution shall become effective upon being filed with the Coordinating Board, Texas College and University System; providing for severability; and declaring an emergency.

To Committee on Education.

By Senator Schwartz:

S.B. 219, A bill to be entitled An Act amending Section 3.08 of Chapter 67, Acts of the 59th Legislature, Regular Session, 1965, as amended by Chapter 688, Acts of the 61st Legislature, Regular Session, 1969 (codified as Section 3.08 of Article 5547-203 of Vernon's Texas Civil Statutes); relating to the provision of workmen compensation benefits for the employees of community centers for mental health and mental retardation services; and declaring an emergency.

To Committee on Human Resources.

By Senator Harrington:

S.B. 220, A bill to be entitled An Act requiring that sentences be consecutive when the same defendant is convicted in two or more cases and punished by a term of imprisonment either in the penitentiary or in jail; amending Article 42.08, Code of Criminal Procedure, 1965; and declaring an emergency.

To Committee on Jurisprudence.

By Senators Patman, Clower, Adams, Andujar, McKinnon, Harrington, Traeger, Ogg, Mengden, McKnight, Brooks, Wolff, Braecklein, Santiesteban, Gammage, Longoria, Kothmann and Wallace.

S.B. 221, A bill to be entitled An Act creating the Commission on Organization of the Executive Branch of the Government and providing for its powers, duties and procedures; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Moore:

S.B. 222, A bill to be entitled An Act amending Chapter 9, Title 71, Revised Civil Statutes of Texas, 1925, as amended by adding a new article to be known as Article 4551d (1) relating to the authority of the Texas State Board of Dental Examiners; amending Article 4551f, Chapter 9, Title 71, Revised Civil Statutes of Texas, 1925, as amended, providing for classes of technicians, qualifications, standards, examination, registration, and regulation of Dental

Laboratories and Dental Technicians; providing for rule making authority and an Advisory Board; providing a repealing clause; providing a severability clause; and declaring an emergency.

To Committee on State Affairs.

By Senators Aikin and Brooks:

S.B. 223, A bill to be entitled An Act amending Section 54.051 of Subchapter B of the Texas Education Code by adding a new Subsection (q) to permit Boards of Regents of Institutions of Higher Education to transfer surplus scholarship funds to local funds of such institutions; and declaring an emergency.

To Committee on Finance.

By Senators Aikin and Brooks:

S.B. 224, A bill to be entitled An Act authorizing the transfer of unencumbered balances of current appropriations made to the Coordinating Board, Texas College and University System to the Texas Education Agency; and declaring an emergency.

To Committee on Finance.

RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S.C.R. 1
H.C.R. 32

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, February 12, 1973

Honorable W. P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 9, Requesting the Attorney General to institute a lawsuit for the purpose of securing for the State of Texas all of the funds for water pollution control which were appropriated by the Congress.

H.C.R. 15, Inviting the Honorable Joe L. Matthews, National Commander of the American Legion, to address a joint session of the House of Representatives and the Senate on February 22, 1973.

H.C.R. 27, Commemorating the incorporation of the City of Fort Worth on February 17, 1873.

H.C.R. 17, Congratulating Joske's of Texas on its centennial anniversary.

H.C.R. 29, Designating February 15 as Susan B. Anthony Day.

H.B. 2, A bill to be entitled An Act relating to the activities, registration, and reporting requirements of persons engaging in activities designed to influence legislation or administrative action; creating a state ethics commission; providing penalties; prohibiting certain acts; repealing Chapter 9, Acts of the 55th Legislature, 1st Called Session, 1957 (Article 183-1, Vernon's Texas Penal Code); repealing Chapter 12, Acts of the 55th

Legislature, 1st Called Session, 1957 (Article 183-2, Vernon's Texas Penal Code); and declaring an emergency.

H.B. 10, A bill to be entitled An Act relating to a newsman's privilege against disclosure of information obtained in confidence or its source; and declaring an emergency.

H.B. 104, A bill to be entitled An Act relating to protecting axis deer in Bexar County; making penalties applicable to violations; amending Subsection c, Section 3, Uniform Wildlife Regulatory Act, as amended (Article 978j-1, Vernon's Texas Penal Code), by adding Subdivision (14); amending Section 13, Uniform Wildlife Regulatory Act, as amended (Article 978j-1, Vernon's Texas Penal Code), by adding Subsection q; and declaring an emergency.

S.B. 1, A bill to be entitled An Act making an appropriation to the Texas Constitutional Revision Commission; and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

HOUSE CONCURRENT RESOLUTION 15 ON SECOND READING

The President laid before the Senate the following resolution:

H.C.R. 15, Inviting The Honorable Joe L. Matthews, National Commander of the American Legion to address a joint session of the Legislature on February 22, 1973.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the resolution was considered immediately and was adopted.

APPOINTMENT TO LEGISLATIVE PROPERTY TAX COMMITTEE

In accordance with the provisions of Chapter 221, Acts, 62nd Legislature, Regular Session, the President announced the appointment of Senator H. J. (Doc) Blanchard as a Member of the Legislative Property Tax Committee.

LEAVES OF ABSENCE

Senator Blanchard was granted leave of absence for a portion of today on account of important business on motion of Senator Aikin.

Senator Wallace was granted leave of absence for a portion of today on account of important business on motion of Senator Aikin.

SENATE BILL 14 ON SECOND READING

Senator Traeger moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that S.B. 14 be placed on its second reading and passage to engrossment.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Traeger and Wolff.

Nays: Mengden.

Absent-excused: Blanchard, Snelson and Wallace.

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S.B. 14, A bill to be entitled An Act relating to the fiscal year of the State; amending Article 12, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

The bill was read the second time and was passed to engrossment.

SENATE BILL 14 ON THIRD READING

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 14 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Traeger and Wolff.

Nays: Jones and Mengden.

Absent-excused: Blanchard, Snelson and Wallace.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

SENATE CONCURRENT RESOLUTION 21 ON SECOND READING

Senator Moore moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that S.C.R. 21 be laid before the Senate at this time.

The motion prevailed by the following vote: Yeas 23, Nays 5.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Hightower, Jones, Kothmann, Longoria, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Traeger and Wolff.

Nays: Harrington, Herring, Mauzy, Mengden and Sherman.

Absent-excused: Blanchard, Snelson and Wallace.

The President then laid before the Senate the following resolution:

S.C.R. 21, Authorizing Board of Directors of Texas A and M University to use proceeds from sale of bonds for construction of certain buildings.

The resolution was read the second time and was adopted by the following vote: Yeas 23, Nays 5.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harris, Hightower, Jones, Kothmann, Longoria, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Traeger and Wolff,

Nays: Harrington, Herring, Mauzy, Mengden and Sherman.

Absent-excused: Blanchard, Snelson and Wallace.

SENATE BILL 130 ON SECOND READING

Senator Moore moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that S.B. 130 be placed on its second reading and passage to engrossment.

The motion prevailed by the following vote: Yeas 25, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Traeger and Wolff.

Nays: Clower, Mauzy, and Mengden.

Absent-excused: Blanchard, Snelson and Wallace.

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S.B. 130, A bill to be entitled An Act amending Code of Criminal Procedure, 1965, as amended, by adding a new Article 2.121, authorizing the appointment and designation by railroad companies of railroad peace officers; etc.; and declaring an emergency.

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend S.B. 130 by changing the period at the end of Section 1 of the bill to a semicolon and adding thereafter the following:

"provided, however, that the peace officers authorized by this Act shall not issue traffic citations."

The amendment was read and was adopted.

Senator Clower offered the following amendment to the bill:

Amend S.B. 130 by adding a new Section to read as follows:

"Nothing in this act shall limit the railroad's civil liability for acts of omission of its employees so designated as peace officers."

The amendment was read.

On motion of Senator Moore, the amendment was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Adams, Aikin, Blanchard, Brooks, Creighton, Harris, Hightower, Jones, Kothmann, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Traeger and Wolff.

Nays: Andujar, Braecklein, Clower, Gammage, Harrington, Herring, Longoria, Mauzy, Patman, Sherman and Wallace.

Absent-excused: Snelson.

On motion of Senator Moore and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was then passed to engrossment.

RECORD OF VOTES

Senators Mauzy, Clower and Sherman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 5 ON SECOND READING

Senator Schwartz moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that S.B. 5 be placed on its second reading and passage to engrossment.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Traeger, Wallace and Wolff.

Nays: Adams and Mengden.

Absent-excused: Snelson.

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S.B. 5, A bill to be entitled An Act relating to the method of payment of salaries of State employees; amending Article 6826, Vernon's Civil Statutes, and Section 2(a) of Article V of Chapter 1, Acts of the Sixty-second Legislature, Third Called Session, 1972, (General Appropriations Act), providing an effective date; and declaring an emergency.

The bill was read the second time and was passed to engrossment.

SENATE BILL 5 ON THIRD READING

Senator Schwartz moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Wallace and Wolff.

Nays: Adams, Jones, Mengden and Traeger.

Absent-excused: Snelson.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2.

Yeas: Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Wallace and Wolff.

Nays: Adams and Traeger.

Absent-excused: Snelson.

UNANIMOUS CONSENT TO GRANT LEAVES OF ABSENCES

On motion of Senator Blanchard and by unanimous consent, he and Senator Wallace will be granted leaves of absence on account of official business during consideration of S.B. 14 and S.C.R. 21.

CO-AUTHORS OF SENATE BILL 221

On motion of Senator Patman and by unanimous consent, Senators Clower, Adams, Andujar, McKinnon, Harrington, Traeger and Ogg will be shown as Co-authors of S.B. 221.

HOUSE CONCURRENT RESOLUTION 17 ON SECOND READING

The President laid before the Senate the following resolution:

H.C.R. 17, Extending congratulations to Joske's of Texas on its centennial anniversary.

The resolution was read.

On motion of Senator Kothmann and by unanimous consent, the resolution was considered immediately and was adopted.

HOUSE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution received from the House, were read the first time and referred to the Committees indicated:

H.B. 10, To Committee on Jurisprudence.

H.B. 104, To Committee on Natural Resources.

H.B. 2, To Committee on Jurisprudence.

H.C.R. 9, To Committee on Intergovernmental Relations.

MEMORIAL RESOLUTIONS

S.R. 99 - By Senator Herring: Memorial resolution for Mrs. Mary Lou Culberson.

S.R. 100 - By Senator Aikin: Memorial resolution for Claude Dillehay.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 101 - By Senator Herring: Extending welcome to Wooldridge School 5th Grade Students.

S.R. 102 - By Senator Mauzy: Extending welcome to Boy Scout Troop No. 503, Dallas.

S.R. 103 - By Senator Aikin: Extending congratulations to Mrs. Hazel Mac Ricks.

ADJOURNMENT

On motion of Senator Aikin the Senate at 12:15 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

February 12, 1973

S.C.R. 1

NINETEENTH DAY

(Tuesday, February 13, 1973)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The following Senator was absent-excused: Mengden.

A quorum was announced present.

The Reverend Boyd Harris of Grace United Methodist Church, Austin, Texas, offered the invocation as follows:

Our Father God, we pause to acknowledge that you are our God and that we are your spiritual children.

We confess that we have not loved you as we should nor have we asked for guidance when we needed it. Therefore, in this moment we would open our lives to your direction. Fill us with the spirit of tolerance, understanding and patience. Give us the courage of our deepest convictions, which are based on Christ's ethical principles, enabling us to deal justly and fairly with our fellow man.

Strengthen the hearts and hands of these Senators that they may perform their work as unto the Lord. In Jesus name we pray. Amen.